

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	Criminal No. 05-30020-MAP
)	
EDDIE SANTIAGO,)	
Defendant)	

STATUS REPORT

In its February 8, 2007, Memorandum and Order the Court ordered the government "to file a status report by February 23, 2007, informing the court whether it will exercise its right to take an immediate appeal of this ruling pursuant to 21 U.S.C. § 851(d)(2)." Memorandum and Order at 15. The government herein informs the Court that the Court's Memorandum and Order is being reviewed by several members of the senior staff of the United States Attorney's Office and a recommendation will be made to the Solicitor General. Thereafter the matter will be reviewed by the Solicitor General who will make the determination whether to go forward with an appeal. Because that decision will take an undetermined amount of time, the government has this date filed a protective Notice of Appeal. The Court will be informed as soon as

a decision is made by the Solicitor General.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Todd E. Newhouse
TODD E. NEWHOUSE
Assistant U.S. Attorney

Certificate of Service

I hereby certify that on February 23, 2007, this Notice of Appeal filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

/s/ Todd E. Newhouse
TODD E. NEWHOUSE
Assistant U.S. Attorney